

SECTIONS OF FEDERAL FOOD, DRUG, AND COSMETIC ACT INVOLVED IN VIOLATIONS
REPORTED IN F. N. J. NOS. 24351-24450

Adulteration, Section 402 (a) (1), the article contained an added deleterious substance which may have rendered it injurious to health; Section 402 (a) (2), the article was a raw agricultural commodity and contained a pesticide chemical which was unsafe within the meaning of Section 408 (a); Section 402 (a) (3), the article consisted in part of a filthy or decomposed substance, or it was otherwise unfit for food; Section 402 (a) (4), the article had been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth; Section 402 (a) (5), the article was in whole or in part the product of a diseased animal; Section 402 (b) (1), a valuable constituent had been in whole or in part omitted or abstracted from the article; Section 402 (b) (2), a substance had been substituted wholly or in part for the article; Section 402 (b) (4), a substance had been added to the article or mixed or packed therewith so as to increase its bulk or weight or reduce its quality; and Section 408 (a), a poisonous or deleterious pesticide chemical, or a pesticide chemical which is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety of pesticide chemicals, as safe for use, had been added to a raw agricultural commodity, and no tolerance or exemption from the requirement of a tolerance for such pesticide chemical in or on the raw agricultural commodity had been prescribed by the Secretary of Health, Education, and Welfare.

Misbranding, Section 403 (a), the labeling of the article was false and misleading; Section 403 (h) (1), the article purported to be and was represented as a food for which a standard of quality has been prescribed by regulations, and its quality fell below such standard; and Section 403 (j), the article purported to be and was represented for special dietary uses, and its label failed to bear such information as the Secretary has determined to be, and by regulations prescribed as, necessary in order fully to inform purchasers as to its value for such uses.

CEREALS AND CEREAL PRODUCTS

BAKERY PRODUCTS

24351. English muffins. (F. D. C. No. 39383. S. Nos. 23-675/6 M.)

INFORMATION FILED: 6-5-57, Dist. Mass., against Mrs. Kavanagh's English Muffins, Inc., Boston (Dorchester), Mass.

SHIPPED: 7-12-56, from Massachusetts to Connecticut and Rhode Island.

LABEL IN PART: (Pkg.) "Mrs. Kavanagh's 6 English Muffins Mrs. Kavanagh's Boston, Mass. Hartford, Conn."

CHARGE: 402 (a) (3)—contained insect parts; and 402 (a) (4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 5-5-58. \$500 fine.

24352. Ry-Krisp bread and crackers. (F. D. C. No. 40477. S. Nos. 71-498/9 M.)

INFORMATION FILED: 2-28-58, Dist. Minn., against Ralston Purina Co., a corporation, t/a Ry-Krisp Division of the Ralston Purina Co., Minneapolis, Minn., and Richard F. Partridge, plant manager.

SHIPPED: 7-19-57, from Minnesota to Washington.

LABEL IN PART: (Pkg.) "Net Weight 12 Oz. Family Style Ry-Krisp Scandinavian Style Bread Each 7-in. Square, 160 Calories Vitamin and Mineral Statement Based on 1 7-in. Square Ralston Purina Co.—Manufacturer—St. Louis, Mo.," or "Ry-Krisp The Smörgasbord Cracker 729 Only 20 Calories Per Double Cracker 8½ Oz. Net. Wt. Ralston Purina Co., Mfr., St. Louis, Mo."

CHARGE: 402 (a) (3)—contained insects and insect fragments; and 402 (a) (4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 5-12-58. Count I: Corporation—\$3000 fine; individual—\$500 fine. Count II: Corporation and individual—imposition of sentence suspended and placed on probation for 3 years.

24353. Bread. (F. D. C. No. 40463. S. Nos. 61-418/9 M.)

INFORMATION FILED: 12-31-57, Dist. Vt., against Cross Baking Co., Inc., Montpelier, Vt., and G. Landale Edson, president and treasurer of the corporation.

SHIPPED: 5-20-57, from Vermont to New York and New Hampshire.

LABEL IN PART: (Pkg.) "Holsum [or "Home Style"] White Enriched Bread Cross Baking Co., Inc. Montpelier, Vt."

CHARGE: 402 (a) (3)—contained insect parts; and 402 (a) (4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 6-4-58. Corporation and individual each fined \$100.

24354. Fig bars, fudge brownies, and jelly rolls. (F. D. C. No. 39976. S. Nos. 50-352 M, 50-354 M, 60-581 M.)

INFORMATION FILED: 6-5-57, Dist. Mass., against Chimes Brownie Co., Inc., Boston, Mass., and Edward A. Caracostas, president, treasurer, and manager.

SHIPPED: Between 10-17-56 and 10-19-56, from Massachusetts to Rhode Island, New Hampshire, and Maine.

CHARGE: 402 (a) (3)—contained rodent hair fragments, insects, and insect parts; and 402 (a) (4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 8-8-57. Corporation—\$1,000 fine; individual—probation of 1 year.

FLOUR

24355. Flour, dried lima beans, sugar rice kinkles. (F. D. C. No. 40428. S. Nos. 58-212 M, 58-214/5 M, 58-218 M.)

INFORMATION FILED: 9-11-57, W. Dist. Okla., against Ozmun & Co., a corporation, Oklahoma City, Okla., and Grover C. Ozmun, Jr., president of the corporation, and Arthur C. Doye, warehouse superintendent.

ALLEGED VIOLATION: Between 2-16-54 and 4-8-57, the defendants caused quantities of flour, lima beans, and sugar rice kinkles, while held for sale after shipment in interstate commerce, to be placed in a building that was accessible to rodents and to be exposed to contamination by rodents, which acts resulted in the articles being adulterated.